

Appl. No. 10/800,080
Amdt. dated 01/09/2006
Reply to Office action Dated 11/14/05 Mailed 11/18/05

REMARKS/ARGUMENTS

Claims 1 is amended as shown below.

Claim 1 (currently amended): An electrical cord securing device comprising;

a replacement outlet cover configured with at least one hole located on opposite sides of an outlet wherein each hole has at least one louvered tab to prevent objects from being passes through the holes;

a slot extending the length of the plug retainer for passage of an electrical cord:

a substantially rectangular plug retainer that surrounds at least a portion of an electrical cord where the plug retainer is installed in the replacement outlet cover by pushing retention tabs in the plug retainer into the louvered openings in into the replacement outlet cover and removed by pressing in on the sides of the plug retainer to narrow the elongated slot to disengage the plug retainer from the outlet cover.

Claim 11 was changed to improve clarification of the plug retainer.

Claim 11 (currently amended) The tabs from claim 6 where the tabs are shaped such that when the sides of the plug retainer are depressed the plug retainer cannot be collapsed.

Claims 14-16 were canceled.

Obviousness (35 USC § 103(a))

The examiner has rejected Claims 1, 2, 6-13 under 35 U.S.C. 103(a) as being unpatentable over Rust (US 6,428,333) in view of Chou (US 5,997,318). The examiner has also rejected Claims 1, 2, 4, and 5-12 as being anticipated by McDevitt, Jr. (6,769,930) in view of Chou (5,997,318).

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A rejection under 35 U.S.C. 103(a) requires that;

(a) the A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negated by the manner in which the invention was made.

To establish a *prima facia* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. (emphasis added)

Changes made to claim 1 add three limitations to the claim that are not disclosed by the cited reference. The cord slot is supported in the original application as shown by the electrical cord slot item 84 in figure 2, and described on page 8 lines 14-17.

The first limitation is for a slot extending the length of the plug retainer for passage of an electrical cord. There is no disclosure in Chou, Rust or McDevitt to include an elongated slot that extends the length of the plug retainer for the passage of an electrical cord. In Chou there is no electrical cord. In Rust the power cord passes through the retainer, and in McDevitt the power cord is captured with a small tab 40.

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The second limitation is that the retention tabs in the plug retainer go into the louvered openings in the replacement outlet cover. While a louver is disclosed in Chou, there is no disclosure in Rust or McDevitt that the holes under the retention tabs are louvered.

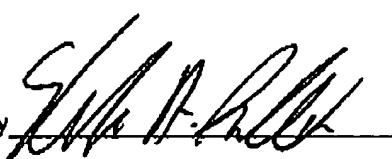
The third limitation is that the when the sides of the plug retainer are depressed the elongated hole where the power cord is routed narrow to allow disengaging the plug retainer from the outlet cover. There is no disclosure in Chou, Rust or McDevitt for a power cord slot and therefore there is no slot that narrows.

The additional limitations distinguish claim 1 of the pending application from the prior art by providing disclosure that is not presented in the individual patents or anticipated by a combination thereof. Claims 2, 4-13 are also not obvious based upon the changes made to claim 1 by virtue of their dependence on independent claim 1.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
BUHLER & ASSOCIATES

By


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